

RETURN DATE: JUNE 25, 2019

ESTATES OF JOANNA AND SETH	:	SUPERIOR COURT
WAKEMAN, BY THEIR EXECUTOR,	:	J.D. OF NEW LONDON
THEODORE LADWIG	:	

V	:	AT NEW LONDON
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TOWN OF STONINGTON AND	:	
STONINGTON POLICE DEPARTMENT	:	MAY 31, 2019

**COMPLAINT—BILL OF DISCOVERY**

1. On March 9, 2019, the Plaintiff decedents, Seth and Joanna Wakeman, were struck and killed as pedestrians by a motor vehicle operated by Carol Belli while crossing the street outside the villages of Mystic, in the town of Stonington, Connecticut.

2. Subsequent to this tragic incident, Carol Belli failed a sobriety test conducted by the Stonington Police officers on scene and was determined to be intoxicated and/or impaired at the time of the incident.

3. The Stonington Police Department have investigated this incident including taking measurements and photographs of critical evidence, determining the physical location of the Belli vehicle and the Wakemans' bodies, and various road markings, and noting important conditions, and assembling such evidence which has been only available to the investigating police officers present at the scene that night.

4. The Estates of Seth and Joanna Wakeman retained counsel on March 13, 2019, four days after the incident, at which time all physical evidence had been removed from the scene and important forensic evidence was no longer available to the Plaintiffs' counsel and their experts.

5. On March 14, 2019, Plaintiffs' counsel personally requested a police report of this incident in person from the Stonington Police Department and was informed it would not be made available to Plaintiffs' counsel. Pursuant to Connecticut General Statutes § 14-227i, law enforcement is required to produce the report within 15 days of this request.

6. No report has been provided by the Stonington Police Department in direct violation of Connecticut General Statutes § 14-227i, although the time limit has now expired.

7. The failure of the Stonington Police Department of the Town of Stonington to comply with Connecticut General Statutes § 14-227i has caused the Plaintiffs and their experts severe prejudice and irreparable harm as it impairs their ability to investigate this civil wrongful death cases involving an intoxicated driver, including locating and interviewing witnesses, reconstructing the circumstances of this accident and determining the conduct of Carol Belli before and at the time the accident occurred.

**WHEREFORE**, it is respectfully requested that this Bill be granted and that this Honorable Court enter an order directing the Stonington Police Department to forthwith comply with Connecticut General Statutes § 14-227i, by providing the Plaintiffs' counsel with a complete report including scene diagrams, witness statements, photographs, videos, and other such evidentiary information available to said Department that has been assembled to date, and an order that the Plaintiffs may depose members of the Stonington Police Department, upon reasonable notice, as that the Plaintiffs will not be further prejudiced by these undue delays.

THE PLAINTIFF

By:   
Robert I. Reardon, Jr. Esq.  
**THE REARDON LAW FIRM, P.C.**  
Their Attorneys

**ORDER**

The foregoing Complaint for Bill of Discovery having been heard by the Court, it is hereby:

GRANTED/DENIED.

It is further ORDERED that: the Town of Stonington and its Police Department are to comply within ten days of this Order

\_\_\_\_\_  
BY THE COURT

\_\_\_\_\_  
Clerk/Judge

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**ORDER OF NOTICE AND HEARING**

The above Bill of Discovery having been presented to the Court, it is hereby ordered that a hearing be held thereon at \_\_\_\_ a.m./p.m. on \_\_\_\_\_, 2019, at the Superior Court for the Judicial District of New London at New London, and the plaintiff gives notice to the defendant of the pendency of the Bill and of the time when it will be heard by causing a true and attested copy of the Bill, Summons and this Order to be served upon the defendants by some proper officer or indifferent person on or before \_\_\_\_\_, 2019, and that due return of service be made to this Court.

Dated at New London, Connecticut, this \_\_\_\_ day of \_\_\_\_\_, 2019.

\_\_\_\_\_  
Clerk/Judge

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:  
: MAY 31, 2019

**SUMMONS**

TO ANY PROPER OFFICER:

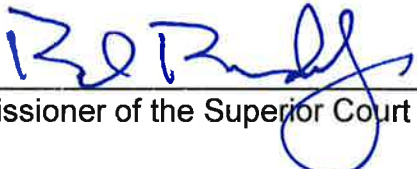
BY THE AUTHORITY OF THE STATE OF CONNECTICUT, you are hereby  
commanded to serve a true and attested copy of the Complaint – Bill of Discovery and  
Order of Notice and Hearing upon the defendants by leaving same in the hands of a  
suitable person according to law on or before June 10, 2019 as follows:

**Town of Stonington**, 152 Elm Street, Stonington, CT 06378

**Stonington Police Department**, 173 South Broad Street, Pawcatuck, CT 06379

Hereof fail not, but due service and return make.

Dated at New London, Connecticut this 31<sup>st</sup> day of May, 2019.

  
\_\_\_\_\_  
Commissioner of the Superior Court